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June 21, 2005

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JUN 21 2005

Marlene H. Dortch, Esq.-Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Federal Communications Commission
Office of Secretary

Re: *Amendment of Section 733.606(b), Table of Allotments, Television Broadcast Stations; and Section 73.622(b), Table of Allotments, Digital Broadcast Television Stations. (Mobile, Alabama)*
MB Docket No. 04-281, RM-11041
FCC File No. BPCT-960722KQ
FCC File No. BPCT-960725LB
FCC File No. BPCT-960920WX
Submission of Requested Documents

Dear Ms. Dortch:

On June 6, 2005, a requested filing was made with the Commission on behalf of Paxson Communications Corporation ("Paxson") in the above-referenced proceeding. In that filing, counsel for Paxson submitted two gratuitous statements which have no relevance to the Settlement Proceeding but which Television Capital Corporation of Mobile ("TCCM") feels must be answered.

The first dispute concerning which Paxson has gratuitously advised the Commission is the pending litigation between TCCM and Paxson now in the DC Court of Appeals. This case represents a judgment for interest allegedly owing to Paxson by TCCM with reference to the Promissory Note of January 29, 1998 supplied to the Commission by Paxson as a part of the June 6 filing.

In the event it is relevant, although TCCM does not believe it is relevant in connection with the pending settlement, the Commission's attention is directed to paragraph 6(a) of the Promissory Note in which that statement is included "upon and subject to the consummation of such assignments (pursuant to the Settlement Agreement and Settlement Deposit) all principle amount hereunder together with all accrued interest shall be forgiven." Therefore upon the consummation of the settlement, the referenced judgment for interest only "shall be forgiven."

The second "dispute that currently exists" is new to TCCM. It is true that our Settlement Agreement provided for a construction permit on Channel 61. It is also true that the Commission

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removed those channels and all channels from 52 to 69 from use. At that time, engineering counsel for TCCM suggested to engineering counsel for Paxson that there was an analog allocation which still could be made from Mobile. Paxson's engineers and lawyers both pointed out that the channel proposed by TCCM's engineer would require finding an acceptable piece of property, negotiating a lease, and obtaining an FAA approval, plus the cost of construction of the tower. They pointed out that the suggested channel would not be available from the Paxson site which proposes utilization of an existing tower which saves the tremendous expenses and uncertainties which were contained in the TCCM proposal.

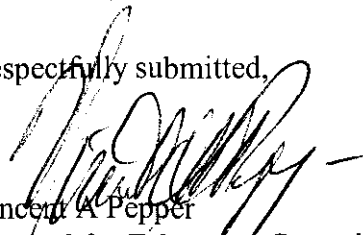
As a result of the forgoing, counsel for Paxson advised counsel for TCCM that they intended to proceed with the digital allocation of Channel 18 as the better available facility. TCCM therefore joined Paxson in its proposal in this proceeding.

There has indeed been changes in the Commission's rules and Channels 52 to 69 are no longer available for allocation. The agreement between TCCM and Paxson however did not provide for a specific channel and since it is their choice on balancing costs and uncertainties to apply for the digital channel, TCCM has joined in that request. Obviously, Paxson is to receive a digital channel which at this stage of the digital transaction is probably far more valuable than an analog channel. Although we are previously unaware that this constitutes a "dispute" we would like to assure Paxson and its counsel that we have no intention of suggesting unjust enrichment to Paxson thereby asking for an increase in the settlement price. Hopefully these assurances that TCCM feels bound by its commitments to Paxson will eliminate any suggestion of a "conflict" between the parties.

All of the foregoing notwithstanding, neither of the two "problems" have any relationship to the allocation and settlement process. We respectfully request that the Commission proceed through the necessary public notice process followed by approval of the Settlement Agreement and the granting of the construction permit to Paxson as is provided for in the pending documents.

Should any further information be desired in connection with this matter, please communicate with this office.

Respectfully submitted,


Vincent A. Pepper
Counsel for Television Capital Corporation of
Mobile

Enclosure

cc: Mary Fitzgerald, Esq. (FCC – hand delivered)
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